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New York

President	Mr. Pleuger	(Germany)
Members	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Raytchev
	Cameroon	Mr. Belinga Eboutou
	Chile	Mr. Maquieira
	China	Mr. Wang Yingfan
	France	Mr. Duclos
	Guinea	Mr. Traoré
	Mexico	Mr. Pujalte
	Pakistan	Mr. Akram
	Russian Federation	Mr. Konuzin
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Williamson

Agenda

General issues relating to sanctions

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03-25756 (E)

The meeting was called to order at 10.10 a.m.

Expression of sympathy to the Government and people of China in connection with the recent earthquake in the country

The President: At the outset of the meeting, I should like, on behalf of the Security Council, to extend our heartfelt sympathy to the Government and the people of China in connection with the earthquake which occurred in the Xinjiang region, resulting in considerable destruction and loss of life. I would request the representative of China to convey to his Government and people our grief and sincere condolence.

Adoption of the agenda

The agenda was adopted.

General issues relating to sanctions

The President: I should like to inform the Council that I have received a letter from the representative of Sweden, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden.

At the invitation of the President, Mr. Dahlgren (Sweden), took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

There being no objection, it is so decided.

I invite Mr. Türk to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by His Excellency Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden. I now give him the floor.

Mr. Dahlgren (Sweden): Let me first thank you, Sir, for your invitation and for organizing this session on sanctions. There could be no better time than this, I think, to focus on the need to improve the instruments for the maintenance of international peace and security.

Many situations in the past, when words of condemnation have had little effect and military force has been seen as the last resort, have triggered a search for other means to influence behaviour and obtain compliance with the decisions of the Security Council.

Something between words and war — that is how the instruments of sanctions can be described. Like other tools, they can be truly effective only if they are sharp enough, focused enough and designed for the particular operation they are intended to perform. This is about targeted sanctions, and how such sanctions can be developed into an even more important tool to help the Security Council fulfil its primary task of maintaining international peace and security.

I am here to present to the Council the results of what we have called the Stockholm Process on the Implementation of Targeted Sanctions. That project has dealt with how to increase the efficiency of sanctions by reforming and improving their implementation, while also minimizing unintentional negative consequences.

This is the third initiative in a growing international debate on the need for more efficient, more fine-tuned and more humane sanctions. The first was taken in Interlaken, Switzerland, and focused on targeted financial sanctions. That was followed, as the Council knows, by the Bonn-Berlin process on arms embargoes, travel and aviation-related sanctions. The Governments of Switzerland and of Germany recognized early on the need to make sanctions smarter.

The Stockholm report is the result of a process that lasted for more than a year. It has engaged government officials, non-governmental organizations,

regional organizations and international institutions, as well as academics and experts from various areas with expertise in the field of sanctions implementation.

Targeted sanctions are designed to focus specifically on the individuals or other entities that are responsible for threats to and breaches of international peace and security. Ideally, such sanctions will leave other parts of the population, as well as international trade relations, unaffected.

The main goal of the Stockholm Process has been to suggest ways to strengthen the capacity to implement such targeted sanctions, both here within the United Nations system and among Member States. One priority has been to identify measures to enhance the planning, monitoring, reporting and coordination among sanctions committees and monitoring bodies.

In the booklet that is before members, which is full of suggestions for the implementation of United Nations policy options, there is a set of guidelines for how the work of United Nations panels and mechanisms that are tasked with the monitoring of sanctions can be improved. Members will also find that it suggests the idea of establishing a sanctions coordinator, or special adviser, to further improve and support coordination among sanctions committees, expert panels and monitoring mechanisms.

My own conviction that more can be done within the United Nations system to improve the sanctions regimes goes back several years, to 1997, when I was chosen as the first chairperson of the Sierra Leone sanction Committee. Looking back at my work then, I clearly see missed opportunities — situations in which too little rather than too much was done. With better resources and better coordination, much more is now possible.

But sanctions are only as strong as the structures within which they are implemented. That is why the Stockholm Process has looked at different ways to enhance and support Member State implementation by strengthened national capacity. The report before the Council includes an elaborated model law for developing legal frameworks for sanctions implementation.

Members will also find various national measures, listed according to the type of sanctions to be implemented. In addition, there is a recommendation to address a special questionnaire to Member States on their capacity to implement sanctions and on their ability to provide technical assistance to Member States that need it.

While the use of these tools or sanctions has increased, there has been growing concern over the negative effects of economic sanctions on vulnerable populations and societies in general. The collateral effects of sanctions on third States have been highlighted, and rightly so. At the same time, many key actors — those that are intended to be the targets of sanctions — have evaded and circumvented such measures by various means. That is a problem that is increasing. It not only affects the effectiveness of sanctions themselves, but risks eroding the very legitimacy of the measures imposed. The Stockholm Process recommends a number of different strategies, depending on the type of sanctions, to counter sanctions evasion and maintain the accuracy of sanctions.

How to target sanctions best may look to some like a technical question. To me, these issues are very political. When the Security Council takes a decision, it must be respected all over the world. That respect may easily be eroded if the action decided upon cannot be well implemented. That is why sanctions that work, and sanctions that lead to results, will be so important for public support, and for the support that the United Nations itself would thereby gain.

The Government of Sweden sincerely hopes that the concrete and practical results of the Stockholm Process will be of value for policy makers and implementers at all levels. Above all, I hope that they will be of some use to you, Mr. President, and your 14 colleagues, as you constructively carry out your immense responsibility, on behalf of all of us, for the maintenance of international peace and security.

The President: I thank the State Secretary for Foreign Affairs of Sweden for his briefing.

I now give the floor to the Assistant Secretary-General for Political Affairs, Mr. Danilo Türk.

Mr. Türk: I am very pleased to participate in the discussion today, which coincides with the publication of the key findings of the Stockholm Process on the Implementation of Targeted Sanctions. Having actively supported and participated in the Interlaken, Bonn-Berlin and Stockholm processes, the Secretariat has observed with keen interest as ideas and

recommendations emerging from each of those processes have found their expression in recent Security Council deliberations and decisions concerning sanctions.

I should like at the outset to thank the Government of Sweden for its generous support for the Stockholm Process, and to offer particular thanks to Sweden's State Secretary for Foreign Affairs, Mr. Hans Dahlgren, for his guidance and expertise, gained in no small part from his dedicated service as a member of the Security Council and as Chairman of the Sierra Leone sanctions Committee. I am very pleased to see Mr. Dahlgren here today at this Council meeting.

I should also like to acknowledge the role played by the Coordinator of the Stockholm Process, Professor Peter Wallensteen of Uppsala University, who is also with us today, in organizing the expert meetings and leading them to a successful conclusion. I also pay tribute at this time to the Governments of Switzerland and Germany for the vital support they provided to the targeted sanctions initiatives that preceded the Stockholm Process.

In his most recent report on the work of the Organization, the Secretary-General noted that he was encouraged by the ongoing efforts at the intergovernmental and expert levels to design "smarter" Security Council sanctions measures. He also recognized that the participation of partners from civil society, academia and the private sector in the expert meetings — a hallmark of all three processes — could help to build the political will necessary for effective sanctions.

I will not take up valuable time on this occasion to review the activities and findings of the three major processes on targeted sanctions. I would, however, note how highly relevant the work already undertaken in areas such as financial sanctions and arms embargoes continues to be. This is all the more so in the light of concerns about the flow of resources to individuals and entities associated with international terrorism, as well as concerns regarding ongoing instability in a number of regions that has been linked to the illicit flow of small arms. In hindsight, it is clear that the expert meetings on targeted sanctions that we are discussing here today have been on the right track; it is now important that the Council devise further guidance.

The Stockholm paper touches upon the importance of transparency and of promoting a sense of ownership regarding the implementation of targeted sanctions among the broader membership. Resolution 1455 (2003), adopted as the Stockholm paper was being finalized, calls on the Committee established pursuant to Security Council resolution 1267 (1999) (1267 Committee), with input from the Monitoring Group, to provide guidance to all Member States regarding submission of the implementation reports required by the resolution. Those reports, based on transparent criteria, will be taken into account in briefings that will be made to the Council by the Chairman of the 1267 Committee, in accordance with resolution 1455 (2003). It is to be hoped that this mechanism will help the Committee to encourage regular input from Member States and that the reports submitted will inform the Committee of areas where technical assistance is most acutely needed.

While recognizing that it may at times be necessary to uphold the confidentiality of sources of information available to expert panels or monitoring groups regarding sanctions-busting or non-compliance, the Stockholm paper notes that the credibility of the findings and the integrity of the process require that evidence be as transparent and verifiable as possible. In that connection, I would note that the Council again acted in parallel to those findings when, in resolutions 1408 (2002) and 1458 (2003), it requested the Panel of Experts on Liberia to make efforts to bring relevant information to the attention of States concerned for investigation and appropriate action, and to allow them the right of reply.

The advances made in sanctions theory and practice, however, have also served to reveal new pitfalls and ineffective implementation, while also drawing attention to existing problems that were hitherto unrecognized. The assistance that the handbook before members will provide to the Council in identifying and addressing those lacunae is undoubtedly one of the most significant outcomes of the Stockholm Process.

One set of findings common to Interlaken and Bonn-Berlin pointed to the need for enhanced monitoring, accompanied by other ways of ensuring that States have the capacity to effectively implement targeted sanctions. Those important concerns were picked up under the able leadership of Sweden and put at the core of the Stockholm Process, together with groundbreaking analysis on how to maintain the focus

of sanctions on targeted actors in response to evasion strategies.

The Council is very familiar by now with the effective work of independent investigative panels and monitoring mechanisms, and it has also heard the findings of field missions undertaken by sanctions committee Chairmen. As the various expert groups established by the Council have proliferated, and as the sanctions committee Chairs have become more engaged, the need for better coordination in many areas of sanctions implementation has come to the fore. Many of the reports produced by the expert groups have identified similar patterns of violation, often orchestrated by identical actors. And, perhaps even more important, the expert group reports have identified similar avenues of follow-up action that the Council could pursue, including in relation to regional or other competent organizations such as the Economic Community of West African States and the International Criminal Police Organization (Interpol).

There would appear to be room to improve the expert group mechanism by fully utilizing collective experiences and by coordinating approaches to better respond to the Council's mandates. The Stockholm paper before members includes, for the first time, careful analysis and recommendations on those and related issues. The Secretariat stands ready to do all it can to facilitate contacts between various entities established by the Council, to improve coordination among all actors involved and to enhance institutional memory. For their part, the members of the Security Council and other interested States may wish to continue to seek improved modalities for taking coordinated follow-up action on findings and recommendations of the expert groups.

The Secretariat hopes that the Council will take the findings of the Stockholm Process into account when it conducts sanctions reviews or when it considers future application of the targeted sanctions instrument, because, without effective implementation, there is a risk that much of the good work accomplished since 1997 will remain in the domain of theory rather in that of practice, notwithstanding the results already achieved.

The Secretariat likewise hopes that the Council and the broader international community will continue to build upon the valuable work already undertaken in the area of targeted sanctions. There are a number of key elements that remain to be addressed, including, among others, improving coordination among all relevant actors, optimizing the design and use of sanctions lists, and studying ways by which to probe the deterrent value of targeted Security Council sanctions and their integration into an overall strategy for preventive diplomacy. Issues such as those could be considered now and in the future, and the Secretariat will continue to provide its assistance.

The President: I thank the Assistant Secretary-General for his statement.

Mr. Raytchev (Bulgaria): First of all, I should like to thank you, Mr. President, for organizing this open meeting on general issues relating to sanctions and on the final report of the Stockholm Process on the Implementation of Targeted Sanctions. Let me also express our gratitude to the State Secretary for Foreign Affairs of Sweden, His Excellency Mr. Hans Dahlgren, as well as to the Swedish Ministry for Foreign Affairs, under whose auspices the final meeting of the Stockholm Process was held. We appreciate the presentation by Assistant Secretary-General Türk, which was insightful and has been helpful for this discussion. We are also grateful to the academic circles — especially those from Uppsala University — as well as to the diplomats, international officials, scholars and independent experts working in the area of sanctions and, last but not least, to the non-governmental organizations that took part in the Process.

As an active participant both in the preparatory discussion and in the final meeting, held at Stockholm in November 2002, Bulgaria shares and supports the conclusions, guidelines and recommendations laid down in the final text of the report. The inclusion of a special section dedicated to unintended consequences of sanctions implementation for third States and to the need for direct or indirect compensation for damages caused to them was backed by the experience of Bulgaria as a State severely affected by the sanctions imposed on the former Federal Republic of Yugoslavia, Libya and Iraq.

We support the final report of the Stockholm Process as a whole. I should like, on behalf of my country, only to add the following comments. Bulgaria supports the view that the imposition of compulsory measures by the Security Council under Chapter VII of the Charter of the United Nations against States and/or

other entities whose actions represent a threat to international peace and security shall be done on the basis of a preliminary comprehensive assessment of the situation. That should allow for the adequate focusing of targeted sanctions on responsible decision makers while minimizing unintended side effects, such as negative consequences for the population of the targeted State, its neighbours or third States. In that connection, the Stockholm Process provides valuable practical guidelines on how to improve sanctions methodology.

Secondly, humanitarian impact assessment should be included as a standard requirement in the regular reports of the expert groups, which is the practice developed under Security Council resolution 1408 (2002), on Liberia. Such assessment should be conducted in accordance with preliminary criteria, based on, for example, the methodologies developed by the Inter-agency Standing Committee of the Office for the Coordination of Humanitarian Affairs and reflected adequately in the reports of the Expert Groups on Liberia.

Extremely useful, in our view, is the regular assessment of the unintended impact of enforced sanctions, which allows for distinction between the effects of sanctions and other causes of humanitarian and economic crises in the targeted State. We also support the proposal for the establishment of an autonomous uniform mechanism for sanctions-monitoring within the framework of the United Nations Secretariat aimed at improving coordination and avoiding duplication in the work of the ad hoc expert groups.

Coordination between the expert groups and the sanctions committees, on the one hand, and the relevant technical and regional organizations, on the other, should also be improved. We also believe it would be useful to have regular coordination between the sanctions committees, including the holding of joint meetings aimed at facilitating their work and ensuring consistency and continuity among them. In our view, the need to improve the management of information related to the implementation of sanctions is also to be stressed. The putting in place of a centralized and accessible database and the establishment of an integrated institutional memory would ensure continuity in this work and provide timely relevant background information on the implementation of sanctions.

The main objective of the planning and implementation of targeted sanctions should be that they be well focused on the targeted actors. In that regard, the final report of the Stockholm Process contains useful observations and guidelines.

Finally, an important issue related to the negative side effects of the implementation of sanctions is the practical implementation of the provisions of Article 50 of the Charter of the United Nations, which provides for consultations between the Security Council and third States confronted with special economic problems arising from the carrying out of preventive or enforcement measures in compliance with Chapter VII of the Charter. In our view, although that issue has been extensively discussed in the General Assembly's Sixth Committee, in the Security Council and during the Stockholm Process, there are still aspects to be clarified. Work on those aspects should continue in the future.

In conclusion, I would like to express our confidence that the outcome of the Stockholm Process provides answers to key problems having practical importance for the work of the Security Council in the area of implementing sanctions. We believe that the steady and purposeful work of the participants in the Process will contribute significantly to our common efforts to devise better-targeted and more effective sanctions aimed at more efficiently preventing future threats to international peace and security.

Mr. Wang Yingfan (China) (*spoke in Chinese*): First of all, I would like to thank you, Mr. President, for having expressed sympathy to China in connection with the earthquake that caused material and human losses. I will convey to the Government of China the sympathy expressed by the President and other speakers.

I would also like to thank Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden, for his briefing about the Stockholm Process, and Assistant Secretary-General Danilo Türk for the briefing he made.

The Stockholm Process represents a useful exploration of issues pertaining to sanctions in all their aspects. We also take note of the recommendations made by the Stockholm Process on the role and relevance of the United Nations with respect to targeted sanctions and on the Organization's capacity to implement such sanctions and deal with the evasion

of sanctions. We thank the Government of Sweden and the participants in the Process for their efforts.

Sanctions are one of the means of enforcement tools that the Charter provides to the Security Council in its maintenance of international peace and security. Judging from the implementation of Council sanctions in some regions during recent years — particularly in Africa, in Angola, Sierra Leone and Liberia — sanctions have played an active role in easing and resolving armed conflicts and in promoting regional peace. At the same time, the grave humanitarian situations resulting from sanctions, and from comprehensive sanctions in particular, have led to general concern in the international community. Among the practical questions facing the Council and the international community are how the Council should use sanctions when deciding to impose such measures, how better to tailor sanctions, how efforts can be made to reduce the impact on civilians and on third countries, and how sanctions should be implemented and their effectiveness enhanced.

First, the Chinese delegation believes that, in the light of the possible impact of sanctions on innocent civilians and on third countries, care must be exercised when a decision to impose sanctions is taken. Specific arrangements must be made in accordance with the situation at hand and exit strategies must be considered in order to limit the duration of sanctions and to avoid or reduce negative impacts as much as possible before a decision to impose sanctions is taken. The Council must also fully assess the possible humanitarian impact of the measures to be taken. Regular assessments relating to humanitarian impact must be carried out in the implementation of sanctions in order that sanctions may be adjusted and improved.

Secondly, in addition to political will among countries, monitoring mechanisms are necessary for sanctions to be effective. Sanctions imposed by the Council against UNITA were relatively successful, in part because a reasonably effective monitoring mechanism was put in place. This could serve as a reference for the effective implementation of other sanctions imposed by the Council. Of course, the Council must provide guidance to the relevant sanctions committees, monitoring mechanisms and groups of experts. At the same time, there must also be greater communication and coordination among those bodies.

Thirdly, any decision to implement sanctions must be based on the overall requirement to ease and resolve conflicts. In that way, sanctions can more effectively and accurately target those responsible for undermining peace and security.

Mr. Gaspar Martins (Angola): I would like to begin by thanking you, Mr. President, for organizing this meeting on a key problem for the Security Council.

The introduction of targeted financial and travel sanctions by the Security Council against individuals involves a qualitative change in the Council's sanctions policy, which we greatly welcome. We view the Stockholm Process as a follow-up to an international process dealing with targeted sanctions on the basis of earlier work in the Interlaken, Bonn and Berlin processes. There has indeed been progress in the work on sanctions, as witnessed by the briefings given to the Council this morning by Assistant Secretary-General Türk and State Secretary for Foreign Affairs Dahlgren. My delegation fully supports these kinds of initiatives. We are pleased by those initiatives, and are most sincerely thankful to the Governments of Sweden, Germany and Switzerland for them.

My country, Angola, is an example of the effectiveness of targeted sanctions. As Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, we can greatly benefit from the work of the sanctions Committee, since conflict prevention and resolution in Africa can be greatly enhanced by lessons drawn from the document which has been presented to us.

In conclusion, it is our hope that the combination of these kinds of initiatives and larger meetings will bring about a new and stronger commitment to targeted sanctions, as we are convinced that this can help the Security Council to promote the effective implementation of such sanctions, as a major contribution to international peace and security.

Mr. Duclos (France) (*spoke in French*): Like my colleagues, I wish to thank State Secretary Hans Dahlgren for his presentation of the results of the Stockholm Process. I wish also to thank Mr. Danilo Türk for the remarks he made.

Allow me briefly to make a few comments. First, we welcome the way in which the debate on targeted sanctions has been conducted, because the consideration of this issue, which has been under way

for some time, has been enriched by a large number of constructive exchanges of view between members of the Security Council and non-members, and between the United Nations and civil society. The work that we now have before us is therefore the outgrowth of intensive exchanges of view which owe a great deal to the contribution of academics, private-sector professionals, non-governmental organizations and research institutes. We welcome this.

Overall, France endorses the approach and the conclusions of the Stockholm Process. The approach is based on targeted sanctions, and we believe that targeting sanctions means better increasing pressure where we wish it to be exerted, while identifying and hitting specific actors and at the same time reducing the risk of collateral impact on innocent civilian populations.

As the Council is aware, we support a philosophy of sanctions that is based on certain principles: sanctions should be targeted and time-limited, and their impact should be evaluated regularly, both in terms of their political objective and from the humanitarian standpoint.

Thirdly, in the work that we have before us today, I should like to stress our particular interest in certain recommendations. This is true of the second recommendation concerning the international support that any sanctions regime must receive.

Similarly, we welcome the fact that the proposals concerning panels of experts and enhancing the capacity of the United Nations Secretariat are in accord with the French-British proposal for a semi-permanent monitoring mechanism for the implementation of targeted sanctions and other associated issues. The idea of setting up a United Nations special coordinator for sanctions also merits close study.

I wish to conclude on two points. First, I wish to say how important we believe it is for the Security Council to complete its normative work on sanctions and to adopt the conclusions of the Working Group on sanctions. Secondly, and very specifically, I would like to stress the value of working to implement proposals aimed at improving existing arrangements. In this regard, allow me to state this once again: it would be appropriate to strengthen the capacities of the Secretariat and to learn all the lessons inherent in the success of expert panels.

Likewise, allow me to urge the members of the Council to work on the basis of the French-British proposal and the pertinent recommendations of the Stockholm Process.

Mr. Traoré (Guinea) (*spoke in French*): My delegation would like at the outset to thank you, Mr. President, for having convened this public meeting on general questions relating to sanctions. We would like also to welcome the presence here of Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden, and to thank him for his important statement. We would also like to thank Assistant Secretary-General Danilo Türk for his extremely useful statement.

Over the past decade, the Security Council, in accordance with its mandate, has been obliged to make use of sanctions as a means of maintaining and restoring peace and security in many regions of the world. While sanctions have played a crucial role in the promotion of international peace and security, we are obliged, however, to note that they have not had all the success we had hoped for.

In some situations, they have not been effective and have had a clear impact on civilian populations and neighbouring States during the course of their use. This state of affairs has on occasion raised questions regarding the usefulness of sanctions and even tarnished the image of the United Nations.

That is why over time the international community has felt that there is a need to improve not only the definition but also the targets and the effectiveness of sanctions. To that end, our Council decided, in April 2000, to create an informal working group for the consideration of general issues related to sanctions. Along the same lines, the Interlaken process, begun in Sweden in 1998 and 1999, brought together experts, non-governmental organizations and United Nations representatives to consider the issue of financial sanctions.

The Bonn-Berlin process which followed, in 1999 and 2000, in turn dealt with arms embargoes and travel bans. These two processes led to the adoption of smart, targeted sanctions, which have made it possible to minimize the impact of sanctions on civilian populations and on third countries. Those instruments were supplemented by the Stockholm protocol, which led to the drawing up of effective measures for the implementation and monitoring of targeted sanctions.

My delegation welcomes these commendable initiatives which are mutually complementary and attest to our shared will to make sanctions more effective and more efficient.

The increasingly important role played by the sanctions committees created by the Security Council clearly demonstrates this. Thus it should also be noted that in targeting leaders, administrations or specific groups, sanctions have made it possible to maintain the required pressure on them and, in some cases, to change their stance in order to restore peace.

However, as effective as they may be, it must be recognized that smart sanctions continue to be the subject of frequent violations, be they arms embargoes, freezing of financial assets, or travel bans.

In order to right the situation, it would be desirable for the Council to become further involved in the ongoing improvement of regimes in force, while avoiding selectivity. This means that, in addition to the traditional role allocated to the panels of experts and follow-up groups, we should create a series of reliable and effective uniform monitoring mechanisms. The example of Angola is enlightening in that respect.

Moreover, my delegation believes that, if the mechanism is to function effectively, the sanctions committees must be provided with adequate financial resources so as to be able to assist those States that do not have the means necessary to create the required legal and normative arsenal.

Despite the highly commendable efforts that have been made, the Council's informal working group has yet to agree on a common position that could improve the sanctions regimes. In our view, the remaining differences on certain points may be sensitive but are not insurmountable. With a little more will and the desire to agree, we could overcome those differences and produce a consensus document on the administration, conception and implementation of sanctions. That is why we urge all the members of the group to work to achieve that objective.

Furthermore, we remain convinced that sanctions can be fully effective only if consultation and cooperation are maintained on a regular basis between the Secretariat and the sanctions committees, on the one hand, and interested international, regional and subregional organizations, on the other. We warmly encourage such activities, which contribute to strengthening the dissemination of information on the application of sanctions and their economic and humanitarian consequences. In the same vein, the sanctions committees must strengthen their cooperation because certain of their activities are being duplicated.

In conclusion, I should like to express my delegation's conviction that, far from being repressive measures, targeted sanctions are in fact an excellent means of prompting offending States, organizations and groups to abide by the United Nations Charter. They are therefore an effective tool for stimulating the required political will necessary to the maintenance of international peace and security.

Mr. Williamson (United States of America): The United States delegation expresses its appreciation to State Secretary Hans Dahlgren of Sweden for his concise, informative and extremely valuable briefing on the outcome of the Stockholm Process discussions in Sweden on making targeted sanctions work. The series of meetings held in Sweden in 2002, focusing on ways to improve the implementation and enforcement of targeted multilateral sanctions, was extremely helpful.

We also appreciate the investments previously made by the German and Swiss Governments in hosting similar conferences focused on improving the design and implementation of targeted multilateral sanctions. The Stockholm Process, much like earlier, similar conferences in Interlaken, Bonn and Berlin, was an important forum for the informal exchange of views among experts on making sanctions more effective.

My delegation believes that sanctions remain a viable and very useful policy option for use by the Security Council to modify the behaviour of a State or entity that poses a threat to international peace and security or that has committed an act of aggression. As authorized in Article 41 of the United Nations Charter, the Security Council's imposition of a "complete or partial interruption of economic relations" with a targeted actor offers an approach greater than persuasion, but less than the use of force, to compel a desired change in policy and behaviour.

In recent years, sanctions have proven to be an effective policy tool that the Security Council has used to alter events on the ground, increase the costs to non-compliant actors and pressure States and groups to lessen their involvement in illicit activities. With the advent of expert panels and monitoring mechanisms,

the Security Council has found a method for using information gathered by experts to name and shame those who deviate from accepted norms by delegitimizing their activities. We should not underestimate the impact of naming and shaming as a tool to compel parties to adjust their behaviour.

While the United States opposes any effort to limit policy options available to the Security Council to address threats to international peace and security, we acknowledge the desirability, where possible, of targeting restricted measures the Security Council may impose to avoid unnecessary negative impact on civilians and other States. We should not ignore the humanitarian consequences of United Nations sanctions. To the extent possible, sanctions should try to limit the negative impact on civilians who, too often, are already suffering under the yoke of a repressive Government at home.

We believe that recent sanctions regimes, such as the measures imposed by the Security Council on the Government of Liberia under resolutions 1343 (2001) and 1408 (2002), demonstrate our shared desire to focus only on those individuals whose actions and policies pose a threat to stability.

I should like now to comment briefly on the evolution of sanctions policies beyond geographic boundaries. Terrorist acts are a growing threat to international peace and security. Fanatics willing to target and kill innocent civilians to advance their own political agendas are a clear and present danger that must be addressed. Fortunately, the community of nations — individually, in coalitions and in the United Nations — is trying to confront this danger. The recent shift in the focus of Security Council-imposed sanctions beyond geographic borders appropriately reflects our shared commitment to ensuring that the threat of international terrorism is defeated.

The work of the Committee established pursuant to resolution 1267 (1999), both under previous Committee Chairman Valdivieso of Colombia and now under Ambassador Valdés of Chile, deserves special mention as an example of the progress that can be achieved through our collective efforts. Financing is a critical contributing factor to the cycle of terrorist acts. Curbing the financial flow of terrorists stops some of their evil activities and forces terrorists out of their comfort zones. The Committee established pursuant to resolution 1267 (1999) is making a significant contribution to the war against terrorism.

This is also an area where the United Nations is playing a big role to disrupt terrorist networks, curb their effectiveness and limit their reach. The Al Qaeda/Taliban sanctions regime is, by its very nature, targeted against terrorists and their supporters. Security Council resolution 1455 (2003), adopted in January as a presidential text, should improve Member States' implementation of these sanctions — a key theme emphasized in the Stockholm Process.

Another area that received significant consideration under the Stockholm Process was enhancing the United Nations role in sanctions implementation. In this regard, the United States delegation notes that the Secretariat previously established a roster of experts to serve on United Nations expert panels and monitoring mechanisms. The United States recommends that the Secretariat now seek from all Member States the names of qualified experts in such areas as arms control, border monitoring, financing controls and other relevant areas for immediate addition to the roster. The United States also believes that it is imperative that the Secretariat establish an informal system that would document and categorize the relevant findings and recommendations of the various expert groups currently and previously authorized by the Security Council with a view to generating commonalities in the work of their groups as well as reducing overlap and increasing efficiency.

The international community should continue to seek improvements by Member States in their implementation of all sanction regimes. Gaps in capacity need to be highlighted and better addressed. There are countries with the will and capacity to fight terrorism. There are countries with the will but which lack the capacity to build an adequate infrastructure of laws, border controls, export controls, financial controls, etc. We encourage Governments to assist willing but unable States to improve their capacities, whether through the training of national authorities, increased border controls, the adoption of national legislation or the use of expertise offered by specialized international agencies. This is an area where the United Nations and lead countries can make an enormous contribution by helping others.

Unfortunately, there are States with the capacity but which are unwilling to combat terrorism. Those

countries should be held to account. As Counter-Terrorism Committee Chairman Sir Jeremy Greenstock told the Council in January, we must put some teeth into this effort.

In conclusion, first let me respond to an intervention by an earlier delegation and make clear that the United States believes that sanctions measures should be tied directly to the described change in policy and behaviour of targeted actors, rather than artificially linked to the duration of sanctions to an arbitrary time limit.

The United States reiterates its appreciation for the commitment made by the Governments of Sweden, Switzerland and Germany in helping to further the ongoing consideration of ways to improve the design and implementation of targeted multilateral sanctions. While our joint work on these matters remains unfinished, the outcome documents generated by the discussions in Sweden, Germany and Switzerland have helped point us in useful and important directions. We will continue to lend our support to ongoing efforts to improve the effectiveness of sanctions while minimizing their unintended consequences where possible.

Mr. Maquieira (Chile) (*spoke in Spanish*): I would like to begin by joining in the condolences that have been extended to the representative of the People's Republic of China on the recent earthquake in the country. Earthquakes are a phenomenon well known to Chile, and we know their devastating effects.

Allow me also to express my thanks for the useful documentation presented by the State Secretary for Foreign Affairs of Sweden, Mr. Hans Dahlgren, on the results of the Stockholm Process, as well as for the valuable contribution to the process made by Professor Wallensteen. We also welcome the contribution of Mr. Danilo Türk, Assistant Secretary-General for Political Affairs, who offered us some intelligent points of consideration, as is usual in him.

The process initiated by the Government of Sweden, which is to conclude a broader process, constitutes a significant advance in the quest to improve the concept and implementation of the sanctions regimes imposed by the Security Council. The Stockholm, Interlaken and Bonn-Berlin processes have put forward very interesting and important proposals that should be carefully studied. They have also made proposals of a more complex nature, such as the so-called secondary sanctions, which require more thorough study.

I think it is important to recall here what the Chilean Government's position on sanctions has been. While we attach utmost importance to the effective implementation of the instruments and mechanisms, including sanctions, established under the Charter with a view to helping foster and ensure respect for international peace and security, we believe that the use of indiscriminate, total and open sanctions has in some cases proven not to be effective. The speed of the impact of sanctions on the civilian population is often much greater than the speed of any change produced by the Government — if in fact it does make a change in its conduct.

Consequently, for some time now, Chile has favoured, within the framework of the Charter and the powers and authority it grants the Security Council, drawing up sanctions that are better focused and better targeted in order to change the conduct of those with the power to change, rather than — as was the logic of previous sanctions — to make the life of the population so difficult that it rebelled and produced a change in leadership. That does not usually happen. As a consequence, the Interlaken and Bonn-Berlin processes are extremely welcome.

In general, I think that the documents that the Council has received today on the Stockholm Process deserve our recognition. We endorse both the Process and its recommendations.

On this basis, we should decisively improve the capacity of the United Nations and its Member States in implementing sanctions, including through better cooperation and coordination and technical assistance, attain better management, and allow more effective monitoring. In this process, we have affirmed the need to ensure the proportionality of the measures adopted, to adapt sanctions according to developments in the political situation, and to bear proportionality in mind in political developments.

In his intervention, Assistant Secretary-General Türk made a point that I find interesting. He spoke of the possibility of using smart sanctions as a contribution to preventive diplomacy. One area in which this might be explored, in theory at this stage, is that of financial sanctions. Some difficulties might arise in the effective implementation of that type of sanctions if we start with the supposition that a State is

given a certain period of time to modify its conduct before a sanction is applied. In the case of financial sanctions, given technological capacities and the speed with which financial resources can be moved, there might be a problem in reconciling the time limit a State is given with the effectiveness of the sanctions to be imposed. So, I think we need to explore how this can be done within the perspective of preventive diplomacy. Perhaps State Secretary Dahlgren could comment on that.

I think that the Stockholm Process completes a cycle in which there was a general appreciation of the need to explore targeted sanctions, as was done in those three processes, and that now it is time for the Council to make progress on how those sanctions are to be implemented. To that end, there is a group of experts on sanctions; their task relates to the choice of sanctions, their effectiveness, their implementation and their consequences. They could also explore the feasibility of the so-called exit strategy, which might also play a role in this process.

Lastly, I would like to stress that my country considers the proposal to appoint a coordinator for sanctions to be an interesting suggestion that could be further studied.

Sir Jeremy Greenstock (United Kingdom): It is good to see State Secretary Dahlgren back in town; we thank him very much for his briefing. We are very grateful for the way in which he and Professor Wallensteen have given their personal commitment to the Stockholm Process. That means a lot, and it has resulted in an extremely effective and useful booklet.

We are also very grateful to Danilo Türk for his statement, which my delegation carefully noted. I will make some references to it.

The Interlaken and Bonn-Berlin processes provided guidelines for policy makers on sanctions design. But it is the Stockholm recommendations, as we have heard from State Secretary Dahlgren and Assistant Secretary-General Türk this morning, which take us to the next stage — that of better implementation. We all know how crucial that is. There is no point in adopting sanctions, however carefully crafted and precisely targeted, if we then fail to enforce them. One clear and obvious example is that there have been sanctions against Liberia since 1992, and that yet both the Government and the rebels have been able to import arms with relative impunity — some 200 tons of arms last summer alone — thus making a nonsense of sanctions, making the lives of the population absolutely miserable and undermining the whole objective of the original imposition of sanctions. If we impose sanctions, we must follow up.

The United Kingdom has strongly supported the Stockholm Process, and we look forward to taking forward its recommendations. Many delegations that have spoken so far have identified some of the key points. I would like just to add three points — the first on monitoring, the second on impact and the third a cross-reference to the Counter-Terrorism Committee (CTC).

On monitoring, there is no doubt that improved monitoring should be a priority for the Council, and Stockholm has many good ideas on this, including guidelines for expert panels. As Ambassador Duclos has already noted, we and the French have put forward a joint proposal for an independent monitoring mechanism to replace the current system of ad hoc expert panels, and we are looking carefully at how to adapt that idea to respond to the Stockholm recommendations. But our key objectives will remain the same: to maintain the independent character of sanctions monitors, whether they are expert panels or a monitoring mechanism; to exploit the synergy among the different panels and make them familiar with one another's work; to eliminate overlap between monitors; and to make them more effective by improving their technical backup in terms of their database, roster of experts, network of contacts, and so on. Danilo Türk rightly put his finger on the importance of improved coordination and follow-up in making that process work, and having an effective mechanism is vital to that.

Secondly, impact has to be a primary consideration when designing and implementing sanctions. We give careful thought to humanitarian impact when we are designing sanctions and implementing them. I think that a recent example of that was resolution 1452 (2002) on the Taliban and Al Qaeda. But their impact on the target is also crucial. As Stockholm says, and as Hans Dahlgren re-emphasized this morning, the Council must identify the Achilles heel of a target in order to select sanctions that will really bite and thereby force compliance with the Council's demands.

Thirdly, I would like to make a brief point about the CTC. I was interested to note Stockholm's comments about lessons to be learned from the CTC. Although, as the Stockholm Process points out, the CTC is not a sanctions committee, the practices we have developed of transparency, detailed reporting by Member States and facilitating technical assistance for all those who need it to make the process efficient are all useful lessons for sanctions committees to consider. I think we should try the cross-application of some of those lessons from other fields to our sanctions work.

We very much welcome this initiative and today's briefings, and we look forward to seeing the Stockholm ideas come alive in Council decisions.

Mr. Wehbe (Syrian Arab Republic) (*spoke in Arabic*): I should like at the outset to welcome His Excellency Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden. We are familiar with his great contributions to the work of this Organization. I would also like to thank him for presenting the final report on the Stockholm Process on the Implementation of Targeted Sanctions — the result of intensive work incorporating the ideas of people known for their expertise in the field of the implementation of sanctions. I would also like to thank Mr. Danilo Türk, the Assistant Secretary-General for Political Affairs, for the enlightening points that he raised in his statement.

Sanctions have long been a priority subject for many Governments, universities and research institutes because of the absence of proof of their usefulness. At times they have brought about the exact opposite of the intended result. Those research institutes and other parties therefore began to discuss ways and means of making sanctions more influential by defining their objectives. Switzerland was the lead country in this effort. Germany then volunteered to continue the process. The Stockholm initiative was the third step towards bringing the process to fruition and suggesting ways of enhancing the ability of the United Nations system and of Member States to implement targeted sanctions. Here, we must pay tribute to Uppsala University for its valuable efforts, the result of which is before us in the report under consideration today.

The Security Council has used sanctions as a way of carrying out one of its main tasks: the maintenance of international peace and security. It has become clear, however, that at least some of the current sanctions regimes, as well as the composition of the committees entrusted with their implementation, have caused humanitarian suffering in some societies, large sectors of which — including women, children and the elderly — are innocent. If we are talking about improving the system of sanctions, we must address the means to bridge that wide gap. The final report of the Stockholm Process makes some important points, relating to the selection of targeted sanctions, the means necessary to enhance the role of the United Nations in implementing targeted sanctions, and support to enable Member States to implement targeted sanctions. The report goes on to make a number of policy recommendations.

Here, we would like to stress a number of important points relating to this question. First, we must recognize that targeted sanctions are more difficult to implement than collective sanctions. We must not lose sight of their collateral effects, particularly on those sectors of the population that are not being targeted.

Secondly, we must recognize that the political will of Member States — beginning with that of Security Council members — is instrumental for the effective implementation of sanctions. That political will must be reflected in a determination to establish just and fair measures that respect human rights and conform to international humanitarian law.

Thirdly, we emphasize that sanctions must have time limits, to be renewed through resolutions adopted by the Security Council should it become evident that the targeted entity or State has failed to comply and should their significance, effectiveness and impact be deemed still relevant. It is essential that the Council immediately lift sanctions once compliance — as defined in the relevant resolution — is verified or once they are no longer necessary. Sanctions should not continue for decades as a people suffers — or as many peoples suffer.

Fourthly, we must understand the difficulties faced by States — particularly by those neighbouring the targeted entity — especially with regard to their ability to implement sanctions. That is particularly true for States whose vital interests are compromised as a result of sanctions, leading to grave economic damage. Here, we should rule out any punitive or coercive enforcement measures; these should be replaced by cooperation and understanding. Lack of cooperation

and of understanding vis-à-vis affected countries, countries lacking in resources and indeed neighbouring countries will hinder the implementation of Security Council resolutions and will undermine their credibility.

Fifthly, with respect to reporting and monitoring, monitoring groups and expert groups and mechanisms are among the most important tools available to the United Nations for the implementation of sanctions. However, we must seek out competent individuals, and we must avoid duplication and lack of continuity in their work. Even more important, we must address absence of independence on the part of those who serve on the teams.

In conclusion, we should like to say that sanctions are an important tool that has often been used by the Security Council, but they are also a grave and sensitive matter. The time has come for us to unite our official and academic efforts to establish new tools that are less harmful to people's humanitarian, economic and moral welfare and more effective in carrying out the purposes of the Charter of the United Nations.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): At the outset, my delegation would like to associate itself with those delegations that have expressed their condolences and sympathy to the delegation of the People's Republic of China with regard to the natural disaster that has struck China.

We are grateful to the Secretary for Foreign Affairs of Sweden, Mr. Dahlgren, for having introduced the document summarizing the results of the work of the Stockholm Process, in which Russian representatives played an active part. We are also grateful to Assistant Secretary-General Türk for his briefing.

Over the past decade, the question of sanctions has been the focus of ever greater attention in the work of the Security Council. We believe that there is a need for more rational and effective use of this tool of the Council. In that context, we support the initiative of a large number of countries aimed at conducting studies of an effective sanctions mechanism.

We believe that improving targeted sanctions is impossible without intensifying work to combat the unintended consequences of their use. Here, we must bear in mind the humanitarian needs of populations that do not bear direct political responsibility for the actions of their authorities, and we must minimize harm to the interests of third countries, on whose support the Council often depends for success in achieving its political objectives.

We favour the expansion of the current practice by which restrictive measures imposed by the Security Council are evaluated from the perspective of their humanitarian consequences. It is perfectly clear that, once it has been determined that bans and restrictions imposed under Chapter VII of the Charter have had a negative impact on the situation of the population in a given country, or that such sanctions have inflicted substantive damage on third parties, the Council must adjust those sanctions measures appropriately. We share the views expressed on this issue in the outcome document of the Stockholm Process. At the same time, in the light of the importance of conducting such evaluations in raising the general level of confidence in sanctions, we believe that it would be justifiable for the Council to use such a process at the stage of preparing the relevant decisions.

We also agree with the organizers of the Stockholm Process that the Security Council still has much to do to optimize the modalities for the functioning of the recently created United Nations groups of independent experts charged with monitoring the required compliance with sanctions. In that connection, the view has already been expressed — and we agree — that one of the most successful examples in this area is the work of the Monitoring Mechanism on sanctions against UNITA, which played a considerable role in halting the military and financial fuelling of the Angola conflict, as is well known. We believe that the experience acquired by the Monitoring Mechanism could today become a sort of gold standard for other expert groups with regard to a wide range of their activities.

We have no doubt that the study introduced by the Swedish delegation today will be extremely useful for the United Nations. We hope that its conclusions and recommendations will be properly assessed by Member States and will be of practical use in the work of the Organization.

Mr. Akram (Pakistan): At the outset, I should like to express the condolences of the Pakistan delegation to the Permanent Representative of China and his delegation with regard to the tragic loss of lives

and property as a result of the recent earthquake that afflicted the Chinese people.

I should also like to thank the Swedish State Secretary for Foreign Affairs, Mr. Hans Dahlgren, for his briefing on the Stockholm Process on the Implementation of Targeted Sanctions. In addition, I wish to express my appreciation to Assistant Secretary-General Danilo Türk for his contribution.

Article 41 of the Charter allows for the application of measures not involving the use of armed force to achieve certain objectives in the maintenance of international peace and security. Of course certain caveats have arisen with regard to the design and application of Security Council sanctions. Throughout the 1990s we saw an increase in the use of sanctions as a policy instrument by the Council. However, comprehensive sanctions have often led to undesirable results in countries against which such sanctions have been imposed, not to mention the effects on third countries.

The Secretary-General of our Organization noted in previous reports that "humanitarian and human rights policy goals cannot easily be reconciled with those of a sanctions regime" (*A/53/1, para. 64*). In another report he said that

> "Economic sanctions are too often a blunt instrument and may impose hardships on a civilian population that are disproportionate to likely political gains." (*A/56/95, para. 112*)

Sanctions have also, at times, proved to be counter-productive. They have hardened the positions of targeted regimes and caused them to behave in ways contrary to the expectations of the international community. In most cases, sanctioned regimes or groups have sought to evade or circumvent the measures imposed against them. The problem therefore is, on the one hand, to improve the accuracy of the sanctions instrument and to check the evasion of sanctions, and, on the other hand, to minimize negative consequences, especially the humanitarian effects of sanctions.

In that regard, we welcome the recent policy desire to shift to what is called smart sanctions, which aim to focus on the targeted actors and to minimize unintended consequences. We note the Interlaken process, initiated in Switzerland, on financial sanctions, which was followed by the Bonn-Berlin process, which concentrated on the design and implementation of arms embargoes and on travel and aviation-related sanctions. The Stockholm Process is the latest of these processes suggesting ways to strengthen the capacity of the United Nations system and of Member States to implement targeted sanctions while giving priority to identifying measures to enhance planning, monitoring and coordination among sanctions committees and monitoring bodies.

While we support all those efforts to improve the way the Security Council designs and implements tighter and smarter sanctions, there is a need to undertake a more comprehensive review of the application, design, implementation, monitoring and, ultimately, termination of sanctions. We believe that the Council's informal working group should undertake such a review. The Council's approach to sanctions, in our view, should incorporate the following principles.

First, sanctions are a coercive measure available under Chapter VII of the Charter. They must be among the last resorts for the Council, not the first. All other possibilities and potentialities available under Chapter VI must first be exhausted before a resort to sanctions.

Second, sanctions should be imposed only in response to violations of international law and non-compliance with Security Council resolutions and obligations. Third, the Security Council is the only body authorized to impose collective international sanctions. Unilateral sanctions by individual States, no matter how well intentioned, do not enjoy international legitimacy and are often counter-productive and destabilizing.

Fourth, sanctions should be based on concrete evidence of and information on violations of international law or Security Council obligations. They should not be based on presumptions, media reports or motivated allegations. Fifth, the threat of sanctions could be more effective than the actual imposition of sanctions. Thus, conditional or deferred sanctions should be considered wherever possible.

Sixth, sanctions resolutions should clearly indicate goals and establish clear criteria for the suspension or termination of sanctions. Seventh, sanctions regimes should be time-bound, allowing for periodic review and amendment. Eighth, provisions should be made to ease sanctions, short of suspension or termination, in response to partial compliance by targeted entities, in order to achieve full compliance.

Ninth, sanctions should be implemented in a transparent manner.

Tenth, sanctions personnel, including United Nations inspectors, should reflect equitable geographic representation. Eleventh, personnel from developing countries should, if necessary, receive the training required to be able to participate in United Nations sanctions monitoring regimes.

Twelfth, sanctions regimes should incorporate humanitarian exemptions and compensation mechanisms in case of unintended consequences.

Thirteenth, sanctions regimes should be carefully and regularly assessed as regards their effectiveness in achieving their objectives and monitoring unintended humanitarian consequences. We welcome the project proposal of the Office for the Coordination of Humanitarian Affairs on assessing the humanitarian implications of sanctions. There should also be an independent external review, including the possibility of a judicial review of the monitoring mechanisms of sanctions regimes, to obtain a realistic and objective assessment based on empirical data and field studies in targeted areas.

In conclusion, let me say that Pakistan believes that, while the sanctions regimes should continue and be improved, we must at the same time seek to evolve and strengthen other means envisaged under the Charter, including in Chapter VI, to promote the objectives of the Security Council and the international community. We must adopt a more comprehensive problem-solving approach involving conflict resolution and economic and development objectives to achieve our aims. We should not forget that our Charter provides the scope for all these possibilities. We must graduate from the thinking of the old world and adopt a more innovative approach consistent with the philosophy of solidarity of our new millennium.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): First of all, I would like once again to extend to the Ambassador of China our sympathy and condolences over the earthquake in his country that has resulted in numerous victims.

My delegation would like to thank you, Mr. President, for having organized this public meeting of the Security Council on the subject of general issues relating to sanctions. Allow me, at the outset, to congratulate Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden, for his outstanding briefing. On behalf of my country, Cameroon, I would also like to commend the efforts made by his Government to organize and finalize research on the issue of sanctions, a matter to which the international community attaches great importance.

Sanctions represent one of the major instruments available to the Security Council for carrying out its responsibilities with respect to the maintenance of international peace and security. That is, in any case, what is stated in Article 41, which speaks of non-coercive measures.

The proliferation of crises and conflicts over the last few years has led to more frequent use of sanctions. However, the various sanctions regimes thus imposed have had different outcomes. Moreover, we deplore the negative consequences for third countries and the pointless suffering inflicted on the population of targeted countries.

It is therefore understandable that the Security Council, together with the international community, is continually trying to enhance the scope and effectiveness of sanctions regimes. That need for effectiveness indicates a dual concern: first, the creation of sanctions regimes designed to make the targeted individuals or entities adapt their behaviour to comply with the wishes of the international community; and secondly, the need to minimize collateral effects on civilian populations and third countries.

This dual concern is having an impact on the direction of work of the sanctions committees of the Security Council. It is also the basis for the work of the Working Group on General Issues on Sanctions, which it has been my honour to chair for the past year. This dual concern also underlies the work done in the framework of the various processes — that is, Interlaken, Bonn-Berlin and Stockholm; today we are seeing the results of the latter process.

My delegation would like to welcome the opportunity provided here today to engage, with the other members of the Security Council and with a representative of the Swedish Government, in a highly enlightening exchange of views, which is the culmination of the work done within the framework of the Stockholm Process.

We would like to emphasize the particular importance of that work, which is supplementing, in a most timely manner, the work done in the framework of the Interlaken and Bonn-Berlin processes, whose outcomes were submitted to the Council in 2001.

As we all are aware, the Interlaken process dealt with the practical and technical aspects of financial sanctions, while the Bonn-Berlin process focused on the negative effects of sanctions on civilian populations and on third countries.

The Stockholm Process made good use of, and built on, the achievements of the first two processes. The outcome of its work, which was presented to us today in the report before us, is particularly interesting and should be of great value to the Council. One of the major merits of the Stockholm Process is that it consolidates the concept of targeted sanctions. Today there is a genuine consensus on that concept within the international community.

The Stockholm Process has also been engaged in systematizing the conceptual, technical and practical elements needed to enhance the effectiveness of financial sanctions, arms embargoes and travel bans.

The various stages — creation, implementation and monitoring — of the process of the imposition of sanctions have been duly noted. So, too, have measures designed to strengthen the role of the United Nations, of States and of other actors of the international community in the implementation of sanctions.

Relevant recommendations are made in this report on the role of the Security Council, its various sanctions committees, expert panels and States. Particular emphasis is placed on the need for coordination and communication among these various actors. The pivotal role played by States deserves our attention. Indeed — and this should be stated — it is the behaviour of States which determines the effectiveness, or lack thereof, of the various sanctions regimes. That is why the report wisely recommends that appropriate assistance be provided to the countries of the regions affected by sanctions regimes.

Other ideas can also be emphasized, such as the adoption of a model for national legislation governing the implementation of sanctions, as well as the recommendation for holding States responsible for any violation of sanctions by their nations. All of these ideas deserve careful consideration by the Security Council.

The Working Group on General Issues on Sanctions could, moreover, make good use of these ideas in achieving its goals. The Group, established in 2000, was, as we are aware, entrusted with the elaboration of general recommendations regarding measures to be taken to strengthen the effectiveness of sanctions imposed by the United Nations.

The work of the Group — chaired, when it was created, by my colleague Ambassador Anwarul Chowdhury of Bangladesh — dealt with the administration of sanctions and the sanctions committees, the strengthening of the capacities of the United Nations Secretariat, and the required cooperation between all of those who are participating in the implementation of sanctions.

Significant emphasis has been placed on the concept of sanctions and on problems dealing with the termination of sanctions; on their implementation; on their consideration and on their assessment, as well as on assistance to those States that are implementing them.

Under the chairmanship of Cameroon, the group has made progress on the issues of procedure and humanitarian exemptions. Thus, the group has reached agreement on provisions for improved monitoring to strengthen the effectiveness and viability of sanctions and concerning the unintended effects of sanctions on third-party States.

Despite this considerable progress, differences of opinion remain that are not only hampering the conclusion of the group's work on establishing norms, but are also affecting the management of sanctions regimes. These fundamental differences of opinion are concerned primarily with the scope and duration of sanctions. We would hope that these two issues will receive due attention from the Security Council and civil society.

The reports of the Bonn-Berlin, Interlaken and Stockholm Processes contain a wealth of ideas and proposals that we are convinced will promote progress and the adoption of general rules both to improve the effectiveness of sanctions and to make them a better instrument in the service of international peace and security, in accordance with the Charter.

Mr. Pujalte (Mexico) (*spoke in Spanish*): Allow me at the outset, on behalf of the people and Government of Mexico, to express our condolences to and solidarity with the people and Government of China following the loss of human life and physical damage in their country as a result of the recent earthquake.

I wish to express my thanks for this opportunity to address the issue of sanctions. Our appreciation goes to the State Secretary for Foreign Affairs of Sweden, Mr. Hans Dahlgren, for presenting the results of the Stockholm Process on the implementation of targeted sanctions. We congratulate Sweden on its leadership role over the past year in the discussions that produced the final report now before us.

Along with other countries, Mexico participated in the Stockholm Process with a will to contribute to deliberations on the implementation of sanctions regimes imposed by the Security Council, as well as on other issues related to that topic. We shared our experience as Chairman of the sanctions Committee for Sierra Leone with the working group of the Stockholm Process responsible for considering measures to strengthen the role of the United Nations in that field.

The exchange of views among representatives of Governments, the United Nations Secretariat, academics, non-governmental organizations and civil society allowed for a candid and in-depth dialogue on the progress, obstacles and challenges involved in devising and applying targeted sanctions, taking as its point of reference the contributions of the Interlaken Process on financial sanctions and the Bonn-Berlin Process on arms embargoes and travel bans.

The recommendations of the Stockholm Process are the outgrowth of those discussions and their substance is of particular relevance to the work of the Security Council and its sanctions committees. That is because the very dynamic of the meetings of the committees requires participants to focus on getting through the immediate agenda before them, but does not make it easy to engage in a thinking process on ways and means to enhance the effectiveness of the implementation of sanctions and the appropriate mechanisms to monitor them.

I wish to highlight the following points from the set of recommendations submitted to the Security Council.

The first concerns improving coordination among sanctions committees. To date, the only attempt at closer coordination has been the tripartite meetings of the sanctions Committees on Sierra Leone, Liberia and Angola, particularly in the areas of arms embargoes, diamonds and travel bans. Despite the fact that sanctions regimes apply to a specific country, in the context of Sierra Leone and Liberia the need has emerged to take a regional approach to implementing and monitoring sanctions. Mexico accordingly supports the idea that the chairmen of sanctions committees should meet and convene joint meetings on questions of common interest that would facilitate the implementation of sanctions. This exercise should include the Chairman of the Security Council's Working Group on General Issues on Sanctions.

There is a need to consider the possibility of including in United Nations peacekeeping operation mandates the requirement of reporting violations of sanctions regimes. The mandates of the panels of experts require the submission of observations and recommendations to the sanctions committees with a view to taking the steps necessary when sanctions regimes are violated. However, not all committees have that possibility. We therefore support the idea of considering the desirability of personnel of peacekeeping operations in countries under sanction reporting to the committees and to the Security Council on the violations of sanctions that they have detected. In the case of arms embargoes, it would be extremely useful to be able to draw on information from personnel working in the field.

There is the issue of improving coordination between sanctions committees and other actors. In the case of the sanctions Committee on Sierra Leone, we encourage cooperation and coordination with governmental agencies, the Economic Community of West African States, the countries of the Mano River Union, the International Criminal Police Organization, the International Civil Aviation Organization and the Wassenaar Arrangement so as to secure better implementation and monitoring of sanctions imposed on that country. Similarly, we feel that the Counter-Terrorism Committee should strengthen its coordination mechanisms with other actors in order to ensure that its activities are effective.

It is also important to keep open the channels of communication and dialogue with humanitarian agencies, international and local non-governmental

organizations, civil society and public opinion and the media. The exchange of information and coordination of activities has a positive repercussion on the implementation of targeted sanctions.

We need to consider developing guidelines on best practices and lessons learned in the area of sanctions. In the division of the Secretariat responsible for sanctions, a structure should be established — similar to that which already exists in other parts of the Secretariat — responsible for preparing guidelines on best practices and lessons learned from the various sanctions committees, panels of experts and monitoring mechanisms. The immediate task should be compiling the experiences and lessons learned in the sanctions Committee on Angola and the monitoring mechanism on Angolan sanctions, which completed their work in late 2002.

The capacity of the Secretariat should be strengthened. Despite the fact that proposals have been made to establish independent structures with a more ambitious mandate, these have yet to secure consensus among the members of the Security Council. Given that situation, the Secretariat of the United Nations should possess, in the short term, the budgetary and human resources necessary to strengthen sanction activities in order to give adequate support to the sanction committees, the panels of experts, the monitoring mechanisms and the Security Council's Working Group on Sanctions.

Sanctions are an instrument employed by the Security Council to facilitate the maintenance of international peace and security. The effective implementation of sanction regimes in force requires the cooperation of the international community, as well as assistance to those States that need to strengthen their national capacity to implement those sanctions.

Mexico reiterates the need for the Security Council to design and implement effective sanctions regimes that constitute useful instruments to dissuade any attempt to threaten international peace and security, without their harming the civilian population or third countries. In that context, we note with great interest the seven principles suggested in the report on the Stockholm Process for effective implementation of targeted sanctions, as well as a consolidated model law to assist countries lacking legislation in this area.

The opportunity you, Mr. President, have given us today to be informed of the results of the Stockholm Process should motivate us to continue our consideration of questions relative to sanctions in the relevant bodies. But we should find a format that enables us to know the opinions of the membership of the United Nations. We trust that future presidencies of the Security Council will take this suggestion into account.

Mr. Arias (Spain) (*spoke in Spanish*): I would like to convey my sincere condolences to the delegation of China for the catastrophe that has struck their country. I wish to thank the State Secretary of Sweden, Mr. Dahlgren, and Assistant Secretary-General Türk for their briefings on the outcome of the Stockholm Process.

Sanctions are not an end in themselves; they are part of a broader strategy aimed at resolving a conflict. Sanctions that through their deficiency in design affect innocent persons or that are easily flouted can only undermine the trust of the international community, leading it to question the credibility of the United Nations. As well, the unjust consequences of a set of sanctions that are inadequately targeted offer the sanctions' intended targets a perfect opportunity to exploit to their own advantage criticism of measures that harm innocent citizens of their own country, but never — or almost never — impact on the leadership elite. Spain therefore unreservedly supports carrying out periodic reviews to appraise the unfavourable impact of specific sanctions regimes on the socio-economic, humanitarian and political situations.

Whether we like it or not, sanctions are one of the most visible aspects of the activities of the United Nations around the world. In a broad range of public opinion, there is a degree of ignorance concerning the reasons for, and the objectives of, sanctions. We endorse the proposal of the Stockholm Process to establish a system of regular briefings for the media.

To be effective, sanctions also need flexibility and agility. For this reason, Spain resolutely supports the recommendation to introduce the possibility of administrative or judicial processes to correct possible errors or simply to take into account a possible change in the conduct of the sanctions' targets. Some types of sanctions, such as arms embargoes and travel bans, have in common a limited degree of effectiveness. The model suggested by the Stockholm and Bonn-Berlin processes offers practical and imaginative solutions to enhance the accuracy of sanctions to the greatest

possible degree; we therefore consider their application to be of great interest.

With respect to the means of the Secretariat, we feel that the coordinating role of the sanctions branch should be promoted in order to avoid any overlaps. Notwithstanding, political will in itself is not enough to ensure that a sanctions regime is effective. The implementation of a sanctions regime requires appropriate mechanisms in all States. And the more precisely targeted sanctions are, the more complex the instruments employed must be. We believe that the sanctions committees should demand that all States submit rigorous reports on the measures taken to comply with sanctions.

In conclusion, for all those reasons, it is necessary to strengthen, and to create incentives for, the provision of technical and financial assistance to those countries with insufficiencies that negatively impact on the implementation of sanctions. In that regard, the private sector may have something to contribute. Likewise, the Council must be very aware of the role that should be played by regional organizations such as the European Union and the African Union. We believe that the actions of the European Union in that regard provide a model that can be used as an example.

Mr. Pleuger (Germany): I shall now make a statement in my capacity as the representative of Germany.

The excellent briefing by State Secretary Dahlgren on the results of the Stockholm Process, the comprehensive statement by Assistant Secretary-General Türk and the ensuing interventions of Council members have, in our view, achieved two important goals. First, they have contributed to a more transparent discussion within the Security Council on pressing sanctions issues. Secondly, they have highlighted the important input by the Stockholm Process to the debate on how to strengthen the capacity of the United Nations system and of Member States to implement targeted sanctions.

As State Secretary Dahlgren has pointed out, the Stockholm Process focused, inter alia, on identifying measures to enhance planning, monitoring and coordination among sanctions committees and monitoring bodies. The development of monitoring mechanisms, with a view to increasing transparency and efficiency, is indeed key to the success of any sanctions regime. The mechanism can furnish the sanctions committee with additional information about the violations of sanctions, as well as their direct and collateral impact. As former chairman of the UNITA sanctions Committee, Ambassador Ryan recently pointed out that its very existence sent a strong warning that the Committee had an additional arm that would systematically and constantly monitor sanctions violations and the violators. The mechanism thus deters those engaged in sanctions busting and at the same time serves as an early warning instrument against disproportional collateral damage.

In this regard, sanctions — meaning measures to be taken against sanction-busting States or individuals — deserve more attention. Here, we see more room for further deliberations. On the other hand, the Security Council also has a responsibility under human rights aspects. Therefore, exemptions and exceptions for certain humanitarian needs should be carefully taken into consideration in order to minimize the humanitarian impact. In doing this, the credibility and legitimacy of a United Nations sanctions regime would be even greater.

We believe that the suggestions of the Stockholm Process for the two following areas deserve particular attention: first, common guidelines for the monitoring of sanctions, and secondly, strategies to counter sanctions evasion and to maintain the accuracy of sanctions, including their adequate assessment.

I should like to conclude by underlining that the Interlaken, Bonn-Berlin and Stockholm processes have contributed to making sanctions more targeted, credible and efficient. The valuable and continued support of the Secretariat in these efforts has been of crucial importance. However, sanctions are tools, not political aims in themselves. They are no substitute for political concepts. The success of a sanctions regime requires a comprehensive approach that considers targeted sanctions as part of a broader coordinated political and diplomatic strategy. This depends on the political will of the actors. The more efficiently, objectively and transparently sanctions regimes are conceived and implemented, the better they can serve as sharp and appropriate instruments under Chapter VII, thus enabling the Security Council to avoid the ultimate use of military force.

I resume my functions as President of the Council.

I now give the floor to His Excellency Mr. Hans Dahlgren, State Secretary for Foreign Affairs of Sweden, to respond to comments and questions raised during the debate.

Mr. Dahlgren (Sweden): I would like to make just three brief points. First, I would like to express my gratitude for the kind words expressed to my Government for the part that it — together with many others — has played in this project.

Secondly, I am of course heartened by the support expressed in the Council for many of the proposals in the Stockholm report. That goes both for the clear willingness of the Secretariat, as explained by Assistant Secretary-General Türk, to play a more active role in improving coordination and monitoring, and for all those members of the Council that have endorsed an improvement in the implementation of targeted sanctions. We look forward to turning some of those ideas into reality.

Thirdly, I agree with Jeremy Greenstock about the lessons that sanctions committees can learn from the Counter-Terrorism Committee with regard to the transparency that that Committee displayed, its effectiveness and, perhaps even more important, its relationships with Member States.

The commitment that has been expressed by so many Council members this morning for improving targeted sanctions is, of course, very positive. But with all due respect, that is not enough. As several speakers have underlined this morning, there must be universal support for targeted sanctions if they are to be successful. Each Member State must do its share. I think that we in the Stockholm Process have an additional task in that important effort: to make those guidelines known, not only in this Chamber in this city, but in capitals all over the world, and, perhaps, to use the resources that may be available to promote an understanding of the need to ensure not only the implementation of more effective targeted sanctions, but also the means to do so.

The President: I now give the floor to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs, to respond to comments and questions raised in the debate.

Mr. Türk: I would like to thank you, Mr. President, and other members of the Security Council for the kind words of recognition addressed to the Secretariat for its contribution. Let me also assure the Council and Mr. Dahlgren that the Secretariat will remain engaged in the Stockholm Process. There is, of course, a fair amount of work to be done in the future, and the Secretariat will try to do its best in that context.

We have taken due note of the various comments that were made, and we will think about them and do whatever is possible to improve the work of the Secretariat with regard to our support for the sanctions committees. We also took note of the recognition of the need to strengthen the capacity of the Secretariat, and obviously we would welcome any additional resources that could be provided in order to make that strengthened capacity a reality.

I would also like to make brief remarks regarding one or two matters that were raised in the discussion. Several speakers referred to the points that I made in my introduction regarding the preventive effects of sanctions and the need for that dimension to be further explored. We certainly will further explore it. At this point we would like to say that the work based on resolutions 1267 (1999) and 1455 (2003) has already had an important preventive effect. Certainly, practice in that context will provide important guidance for the future.

The general points which were made today about improved coordination were, of course, also highly relevant in the context of prevention, because both the patterns of violation and violators are often identical, and that has a cumulative effect. On the other hand, the cumulative effect of activities in the area of sanctions can be preventive if they are properly organized, coordinated and made effective.

We also took note of the point made in the discussion that sometimes a threat of sanctions can be an effective tool. This is an interesting and important point which requires further thought. Certainly the question of how to translate an idea into policy is among the more difficult questions, and we will continue to think about it and see whether the Secretariat can be of any help.

Finally, I would like to recall that the Security Council has adopted resolutions which deal with the issues of the prevention of armed conflict in a very comprehensive way, and it might perhaps be useful if in one of the reviews on those resolutions the aspect of sanctions were given some attention in order to see how it could fit into the overall policy of prevention.

The President: There are no more speakers on my list.

I would like to refer to the statement to the press that has been circulated to all Council members. With their agreement, I will issue that statement following the conclusion of the meeting.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.20 p.m.